



DISTRICT OF
Stewart
BRITISH COLUMBIA



Zoning Bylaw **District of Stewart**

Bylaw No. 881, 2014

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Zoning Bylaw No. 881, 2014**

WHEREAS Council wishes to repeal District of Stewart Zoning Bylaw No. 651, 1996, and amendments thereto, and wishes to adopt a new Zoning bylaw, pursuant to Section 903 of the *Local Government Act*;

AND WHEREAS Council has held a Public Hearing pursuant to Section 890 of the *Local Government Act*.

NOW THEREFORE Council of the District of Stewart, in open meeting assembled hereby enacts as follows:

1. District of Stewart Zoning Bylaw No. 651, 1996 and the amendments thereto are hereby repealed.
2. This bylaw shall be cited as the "District of Stewart Zoning Bylaw No. 881, 2014".
3. The following schedules attached hereto are hereby made part of this bylaw and adopted as the Zoning Bylaw for the District of Stewart:
 - .1 Schedule A (Zoning Bylaw text)
 - .2 Schedules B, C, D and E (Zoning Bylaw maps)

READ A FIRST TIME THIS 30th DAY OF SEPTEMBER, 2014

READ A SECOND TIME THIS 30th DAY OF SEPTEMBER, 2014

RECEIVED APPROVAL OF THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE THIS
20th DAY OF OCTOBER, 2014

PUBLIC HEARING HELD ON 27th DAY OF OCTOBER, 2014

READ A THIRD TIME THIS 27TH DAY OF OCTOBER, 2014

ADOPTED THIS 28th DAY OF OCTOBER, 2014


MAYOR


CHIEF ADMINISTRATIVE OFFICER

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SCHEDULE A

ZONING BYLAW TEXT

1.0 DEFINITIONS

In this Bylaw all words or phrases shall have their normal or common meaning except where this is changed, modified or expanded by the definitions set forth below:

Accessory means a use which is subordinate to the principal use on the parcel.

Accessory Building means any building or structure that is used in conjunction with the principal building, but is separate from the principal building, and is located on the same parcel and includes garages, carports, sheds, soft-sided structures, and greenhouses.

Agricultural Use means a use providing for the growing, rearing, producing and harvesting of agricultural products, including the storing and processing on an individual farm of the primary agricultural products harvested, reared, or produced on that farm and the storage of farm machinery and implements used on the farm; and specifically includes a kennel and the keeping of horses, cattle, sheep, poultry, pigeons, ducks, geese, and other livestock.

Automobile Body Shop means the use of a building or structure for the purpose of the structural repair of vehicles, including painting or metal plating. This use specifically excludes the wrecking and/or storage of derelict vehicles.

Automotive Repair Shop means a building, structure, or premises used or intended to be used for major repairs to motor vehicles and parts thereof, but shall not include motor vehicle manufacture or assembly.

Automobile Salvage or Wrecking Yard means an area outside of an enclosed building where motor vehicles are wholly or partially disassembled, dismantled, or junked, or where vehicles not in operable condition or used parts of motor vehicles are stored.

Bed and Breakfast means a single family dwelling containing individual sleeping units used for temporary overnight accommodation and where breakfast is provided by the resident of the single family dwelling.

Boarder or Lodger means a person who rents and resides in a separate or shared sleeping room in a dwelling unit for a continuous period of not less than 28 days, and who is not a member of the family residing in the residence.

Boulevard means the grass or gravel area between the road edge or curb line and the adjacent property line.

Building means a structure which is designed, erected or intended for the support, enclosure or protection of persons, animals, or property.

C Zone means any commercial zone and includes the C1, C2, C3, and C4 zones.

Campground and RV Park means land that is used to provide temporary accommodation in tents, tent trailers, travel trailers, recreational vehicles, and non-permanent structures that contains no more than one single family dwelling and no more than one convenience store, but does not include a worker camp.

Caretaker Suite means a dwelling unit used solely to accommodate a person or persons for the purposes of providing on-site surveillance, maintenance or security for the primary use of the parcel.

Cargo Container means a container designed for the storage or transport of goods, including a container designed for the intermodal transportation of freight or goods, but excludes dumpsters and recycling receptacles.

Carwash means a building or structure containing facilities for washing motor vehicles, including tunnel car washers, coin operated automatic car washers, and coin operated self-service car washers.

Cemetery means and includes any parcel or tract of land set aside, used, maintained or operated as a place for the interment of the remains of dead persons.

Chief Administrative Officer means the person duly appointed by the Council as the Chief Administrative Officer for the District of Stewart.

Club or Lodge means a building or establishment used by an association or organization for fraternal, social, or recreational purposes with cooking facilities and which will be operated for the use of club members and their guests only.

Commercial Cardlock Facility means an establishment where petroleum products are dispensed from fuel pumps utilizing a cardlock or keylock system, but does not include gasoline stations or fuel bars.

Community Care Facility means a use or facility in which food, lodging and care or supervision are provided, with or without charge to persons unrelated to the operator of the facility, who on account of age, infirmity, physical or mental disability, require special care.

Convenience Store means a building or premises used for the sale, primarily of food products, but which may include the sale of a variety of common household items, and may also include a banking machine.

Corner Parcel means a parcel abutting upon two or more streets at their intersection or upon two parts of the same street, such streets or parts of the same street forming an interior angle of less than 135°. For the purposes of this definition, the front yard is the yard adjacent to the shortest boundary abutting on a street or right of way.

Council means the Mayor and Council of the District of Stewart.

Day Care Facility means a facility providing group day care, family day care, nursing school, child minding, out of school care, or specialized day care in accordance with the provisions of the *Community Care and Assisted Living Act*.

Derelict Vehicle means any vehicle or part thereof which:

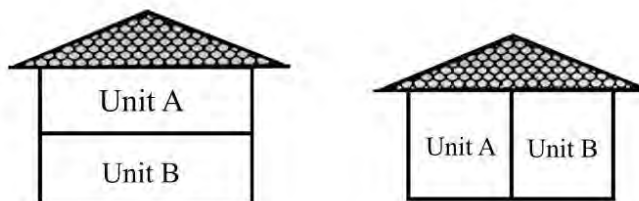
- (1) Is not capable of operating under its own power;
- (2) Does not have attached number plates for the current year pursuant to the regulation of the *Motor Vehicle Act* of the Province of British Columbia, but shall not include a vehicle that has been insured as a collector vehicle in the past 2 years as per the requirements of the *Insurance Corporation of British Columbia (ICBC)*; or
- (3) In the case of recreational vehicles, has not been licensed for use in the last 18 months.

Density means the maximum number of dwelling units permitted per each hectare.

District means the District of Stewart.

Dwelling, Duplex means a building that is divided horizontally or vertically into two (2) separate dwelling units in the manner illustrated in Figure 1.1, where each of the dwelling units has an independent entrance either directly from the outside or through a common vestibule.

FIGURE 1.1 ILLUSTRATION OF DUPLEX



Dwelling, Multiple Family Apartment means a building which contains three or more dwelling units, two or more of which have a common entrance from the ground level.

Dwelling, Multiple Family Townhouse means three or more of a series of dwellings, often of similar or identical design, situated side by side and joined by common walls.

Dwelling, Multiple Family means a building consisting of three or more dwelling units and includes but is not limited to apartments, townhouses, triplexes, quadplexes, and condominiums.

Dwelling, Podium means one or more dwelling units located above a commercial use permitted within the same zone such that no dwelling unit shares an entrance with a commercial use.

Dwelling, Single Family means a building that contains one dwelling unit, and which may also contain a secondary suite where permitted by this Bylaw.

Dwelling Unit means two or more rooms used or intended to be used as the permanent home or residence of a family that contains only one cooking facility, with sleeping and bathing facilities.

Family means:

- a) An individual, or two or more persons who through marriage, blood relationship, common law, or other similar circumstances normally live together; or
- b) Not more than three unrelated persons sharing one dwelling unit.

Fence means a railing, trellis, or other screening forming a boundary to or enclosing a parcel or part thereof.

Floor Area means the total area of all the floors of a building measured to the extreme outer limits of the building, including enclosed porches, verandas, and balconies, but excluding areas used for parking.

Frontage means that length of a parcel boundary which immediately adjoins a road or a street.

Garden Suite means a single family dwelling located in the rear yard or above a garage, the use of which is accessory to a single family dwelling on the same parcel.

Habitable Room means a room designed for living, sleeping, eating or food preparation, including a living room, dining room, bedroom or kitchen.

Health Services means the use of a building or buildings for the provision of a physical or mental health service on an out-patient basis and includes but is not limited to medical and dental offices, chiropractors, massage therapists, acupuncture clinics, reflexology, health clinics and counseling services.

Height of Building means the vertical distance from the mean grade level to the highest point of the roof surface of a flat roof, the deck of a mansard roof; and the mean height level between the eaves and ridge of a gable, hip or gambrel roof.

Highway has the same meaning as in the *Community Charter*.

Home Occupation means an occupation or profession which is clearly incidental to the use of a dwelling unit for residential purposes, or to the residential use of a lot occupied by a dwelling.

Home Industry means the use of a parcel containing a dwelling unit for an industrial or manufacturing business, including but not limited to a carpentry shop, a welding shop, and a metal working shop.

Hotel means a building which contains sleeping units used or intended to be used for the temporary accommodation of transient lodgers. A hotel may include ancillary facilities such as a restaurant, meeting rooms, convention facilities, gift shop, recreational facilities and/ or pub.

Industry, Heavy means the use of land to store, process or manufacture materials or products made predominantly from extracted, bulk, or raw materials, or to use land for the storage or manufacture of flammable, explosive hazardous, or noxious materials or products.

Industry, Light means the use of land to make, assemble, and service finished products, including packaging and wholesale distribution.

Industrial Work Camp Accommodation means one or more modular buildings or structures established for the purpose of providing residential accommodations and supports to workers, arranged to provide individual sleeping units (1 person per unit) with or without individual bathrooms, meals in communal dining areas, and communal areas for recreation, laundry and other basic living essentials.

Lane means a highway intended to provide secondary access to parcels of land.

Laundromat means a building used for the purpose of receiving articles or goods of fabric or leather to be subjected to the process of dry cleaning, dry dyeing, or cleaning, processing and for the distribution of any such articles or goods which have been subjected to any such processes. Also means a building or portion thereof, where machines for the washing and drying of articles or goods of fabric are provided to be operated by customers.

M Zone means any industrial zone and includes the M1 and M2 zones.

Manufactured Home means a mobile home or a modular home used as a dwelling unit.

Manufactured Home Park means a parcel of land upon which two or more manufactured homes are located, and includes all buildings and structures used or intended to be used as part of such Manufactured Home Park, but excludes any dwelling unit that is not a manufactured home.

Marina means a facility which provides moorage space for watercraft and may also include, as accessory uses, administrative offices, recreational lounges, restaurants, the retail sale of marine supplies and equipment, laundromat, shower facilities, dock-side boat repair, marine fueling installations, and water taxi docks, but does not include a marine public house.

Mobile Home means a factory constructed dwelling unit designed to be towed from site to site and subject to Canadian Standards Association (CSA) Z240 Mobile Home Series of Standards. CSA Z240 Standards are specifically for homes that may be moved from one home site to another.

Modular Home is a dwelling unit constructed on site from factory assembled modules. These homes have a CSA A277 label to show that they were built in a certified factory and must meet local bylaws and the BC Building Code.

Natural Boundary means the visible high water mark of any lake, river, stream, or other body of water where the presence and action of the water are so common and usual, and so long continued as to mark the soil of the bed of the body of water a character distinct from that of its banks, in vegetation and the nature of the soil and as determined by a surveyor.

Office means a place of business where the principal function is intellectual activity and skill usage other than assembly, manufacturing, repairing or servicing of goods. It includes file areas, storage of office supplies, record keeping, financial records, client and account records, space for interviewing clients and similar space use.

P Zone means any park and institutional zone and includes the P1 and P2 zones.

Panhandle Parcel means any parcel which gains road frontage through the use of a narrow strip of land which is an integral part of the parcel.

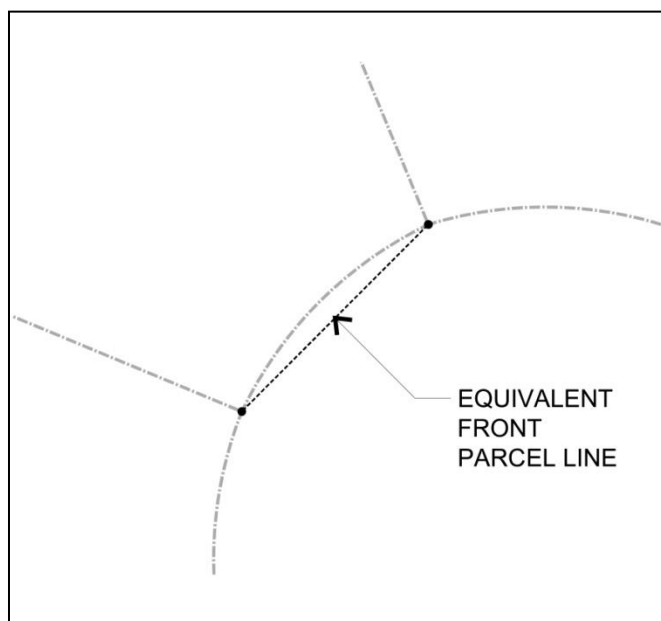
Parcel Coverage means the percentage of the parcel area covered by buildings and structures.

Parcel Depth means the shortest horizontal distance between the front and rear parcel lines.

Parcel Line means the legally defined boundary of any parcel.

Parcel Line, Equivalent Front (Equivalent Front Parcel Line) means a line drawn between the intersect points of the side parcel line and the front parcel line on parcels with curved front parcel lines, as illustrated in Figure 1.2.

FIGURE 1.2 ILLUSTRATION OF EQUIVALENT FRONT PARCEL LINES



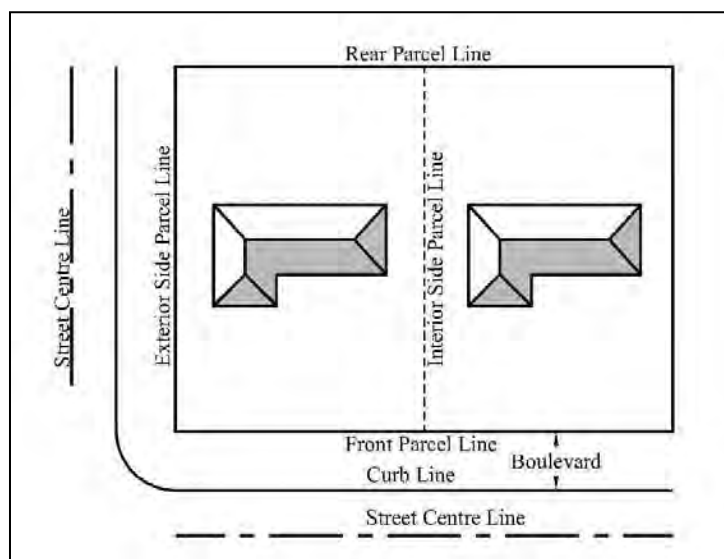
Parcel Line, Exterior Side (Exterior Side Parcel Line) means a side parcel line which abuts the highway (excluding a lane, pathway, walkway, or trail) on a corner parcel, as illustrated in Figure 1.3.

Parcel Line, Front (Front Parcel Line) means any parcel line common to a parcel and one highway other than a lane as illustrated in Figure 1.3. Where a parcel is contiguous to the intersection of two (2) highways, the front parcel line is the shortest parcel line contiguous to a highway other than a lane.

Parcel Line, Interior Side (Interior Side Parcel Line) means a parcel boundary between two (2) or more parcels or a lane, other than a front or rear parcel line, as illustrated in Figure 1.3.

Parcel Line, Rear (Rear Parcel Line) means the boundary of a parcel which lies the furthest from, and is not connected to, the front parcel line, as illustrated in Figure 1.3.

FIGURE 1.3 ILLUSTRATION OF PARCEL LINES



Parcel Width means the horizontal distance between side parcel lines measured at right angles to the parcel depth and seven (7) metres from the front parcel line.

Personal Service Establishment means a use that provides personal services to an individual related to the care and appearance of the body or the cleaning and repair of personal effects, including barber shops, hairdressers, manicurists, tailors, dress makers, shoe repair shops, and laundries; but does not include health services.

Place of Worship means the use of land for a building used by any religious organization for worship or other ecclesiastical functions and may also include accessory uses and buildings, including, but not limited to an assembly hall, auditorium, rectory and daycare.

Principal Building means the building which contains the principal use of the parcel and shall include attached garages or carports.

Principal Use means the main purpose for which land, buildings or structures are ordinarily used.

Public Assembly and Entertainment means a use that provides space for public assembly and entertainment and includes an auditorium, amusement arcade, billiard and pool hall, bowling alley, dance hall, and theatre.

Public Open Space means vacant land used for recreation activities such as walking, cycling, running, hiking, snowmobiling, and all-terrain vehicle use.

Public Use means the use of land for government-operated buildings and facilities for public parks and recreation, sports, education, health, welfare, administration, safety, communications or public works.

Public Utility means the use of land for buildings and facilities that distribute electricity, gas, water, sewer, telephonic or television signals.

R Zone means any residential zone, and includes the R1, R2, RM1, and MHP zones.

Recreational Facility means the use of land, buildings or structures for gymnasiums, indoor or outdoor racquet courts, curling rinks, skating rinks, swimming pools, aerobic studios or weight rooms, billiard halls, bowling alley and the like, and specifically excludes amusement arcades.

Resource Development means buildings and structures used for exploration, extraction and processing of natural resources.

Restaurant means an eating establishment where food is sold to the public for consumption within the premises and includes facilities that include take-out as an accessory or principle use.

Screening means a continuous fence, wall, compact evergreen hedge or combination thereof, supplemented with landscape planting, that would effectively screen the property which it encloses, and is broken only by access drives and walks.

Secondary Suite means the accessory use of a single-family dwelling for a separate dwelling unit that contains a separate entrance from the exterior of the building and includes cooking facilities, bathroom, and sleeping area.

Service Club means the assembly of people for the non-commercial provision of services to the community.

Service Station means any building or land the use of which is the retail sale of motor fuels and lubricants and may include diagnostic centers, the servicing and minor repairing of motor vehicles, the sale of accessories and seasonal convenience items provided such items are displayed primarily within a building.

Setback means the required minimum distance between a building or use and each of the respective property lines.

Site means an area of land or surface of water consisting of 1 or more lots used as a unit devoted to a certain use or occupied by a building or structure or group of building or structures united by a common interest, use of development.

Site Area means the area of a parcel where used in reference to a single lot and means the total area within the lot lines of all parcels devoted to a single use where more than one parcel is involved.

Soft-sided Structure means a structure composed of flexible, water-resistant or waterproof material, often cloth such as canvas or polyester coated with urethane, or made of plastics such as polyethylene.

Storey means a habitable space between two floors, or between any floor and the upper surface of the floor next above, except that the topmost storey shall be that portion of a building included between the upper surface of the topmost floor and the ceiling above.

Structure means a construction of any kind, whether fixed to, supported by, or sunk into land or water which requires permanent location on the ground or something attached to the ground, and includes buildings, walls, decks, fences, tanks, pools, piers, sheds, display signs, poles and towers.

Transportation Depot means a transportation facility providing for the receiving and discharge of passengers travelling by air, rail, water, bus, taxi, or other motor vehicle, and includes as an accessory use the trans-shipment of goods and the maintenance and repair of public transportation equipment.

Yard, Front means that portion of the parcel extending across the full width of the parcel from the front parcel line to the face of the nearest exterior wall of the principal building on the parcel except in the case of a corner parcel, the front yard shall parallel the shortest boundary thereof abutting on a street or right of way.

Yard, Rear means that portion of the parcel extending across the full width of the parcel from the rear parcel line to the face of the nearest exterior wall of the principal building on the parcel.

Yard, Side means that portion of the parcel extending from the front yard to the rear yard and lying between the side parcel line and the face of the nearest exterior wall of the principal building on the parcel.

Zone means a zone created by this Bylaw or as amended or as replaced.

Zoning Maps means the maps attached as Schedules B, C, D, and E to this Bylaw.

2.0 ADMINISTRATION AND ENFORCEMENT

Title

- 2.1. This Bylaw shall be referred to as the "District of Stewart Zoning Bylaw 881, 2014".

Subject Area

- 2.2. This Bylaw applies to the entire area within the District of Stewart's municipal boundaries and to all land, buildings and structures including the surface of water within that area.

Interpretation

- 2.3. Words used in the present tense include the other tenses and derivative forms; words used in the singular include the plural and **vice versa; and the word "person" includes a corporation, firm, partnership, trust, and other similar entities, as well as an individual.** Words have the same meaning whether they are capitalized or not.
- 2.4. The headings given to sections, subsections, sentences, clauses or phrases in this bylaw are for convenience of reference only. They do not form part of this bylaw and will not be used in the interpretation of this bylaw.

Inspection

- 2.5. The following persons are authorized to enter, at all reasonable times, on any property, and in accordance with section 16(1) to (5) of the *Community Charter*, to inspect and determine whether all the regulations under this bylaw are being met:
- a. the Chief Administrative Officer;
 - b. a bylaw enforcement officer.

Violations

- 2.6. Any person who violates any of the provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who neglects to do or refrains from doing any act or thing which is required by any of the provisions of this Bylaw, shall be deemed to have violated the provisions of this Bylaw.
- 2.7. Each day that an offence under this bylaw continues shall constitute a new and separate offence.

Penalty

- 2.8. Any person who violates any of the provisions of this Bylaw commits an offence and shall, upon summary conviction thereof, be liable to all penalties that may be imposed under the *Offence Act*.

Severability

- 2.9. If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remaining portions of this Bylaw.

3.0 GENERAL REGULATIONS

Applicability of General Regulation

- 3.1. Except as otherwise specified in this Bylaw, Section 3 applies to all zones established under this Bylaw.

Uses and Regulations

- 3.2. Except for existing lawful non-conforming uses to the extent permitted under section 911(1) of the *Local Government Act* the use, buildings and structures in each zone or area shall be in accordance with the uses listed in the zone and all the appropriate regulations and requirements of this Bylaw.
- 3.3. No land, building, or structure within the District of Stewart shall be developed, used, constructed, erected, modified, converted, enlarged, re-constructed, altered, placed, or maintained except in conformation with the provisions of this Bylaw.
- 3.4. Any existing residential building or structure conforming as to use, but non-conforming as to minimum lot size in R, C, and M zones at the time of the effective date of this bylaw may alter, extend or replace such existing residential building or structure provided such alteration, extension, or replacement shall comply with all other regulations specified for the zone in which it is located as well as complying with regulations regarding vision clearance at intersections and parking regulations.

Permitted Uses

- 3.5. No person shall use land, the surface of water, buildings or structures in any zone for any use except as specifically permitted in this Bylaw.

Prohibited Uses

- 3.6. Industrial Work Camp Accommodations are prohibited in all zones.
- 3.7. Home industry is prohibited in all zones.

Temporary Uses

- 3.8. Subject to Section 921 of the *Local Government Act*, the District of Stewart allows Temporary Use Permits to be issued for any use subject to the approval of Council. Pursuant to the *Local*

Government Act, approval by the Ministry of Transportation and Infrastructure is required if the proposed development is adjacent to Glacier Highway 37A.

- 3.9. Notwithstanding any other provisions of this Bylaw, Temporary Use Permits shall be permitted in any zone subject to the following requirements:
- .1 Application shall be made in writing, to Council for a permit for a temporary use.
 - .2 Approval by the Ministry of Transportation and Infrastructure is required if the proposed development is adjacent to Glacier Highway 37A.
 - .3 Council is satisfied that the proposed temporary use permit would not constitute or cause a public hazard or public nuisance, or obstruct unnecessarily any public right-of-way. A permit may be granted by Council resolution for a period of up to 3 years.
- 3.10. As a condition of issuing a Temporary Use Permit the District of Stewart reserves the right to require the owner of the land to remove a building or structure, and restore the land.
- 3.11. To guarantee performance of the conditions, the District of Stewart may require a security deposit to be established.
- 3.12. Seasonal vending on properties zoned for commercial use is permitted, provided that:
- .1 The use is permitted in the zone.
 - .2 The temporary building or structure meets the requirements of the *District of Stewart Building Bylaw* and amendments thereto.
 - .3 The temporary building or structure is connected to the District of Stewart water and sewer system if required.
 - .4 The use meets the parking requirements of this Bylaw.
 - .5 The temporary building is not located on space required for parking setbacks, or open space within the site.

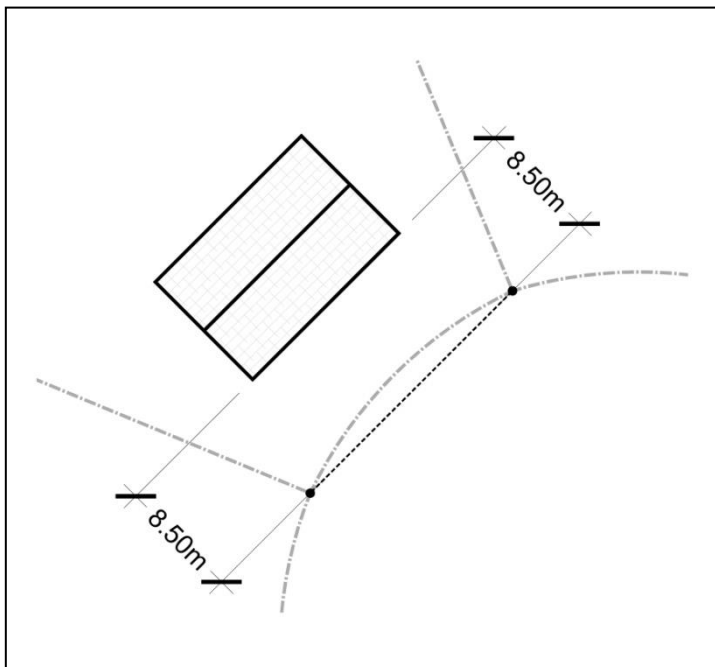
Siting, Size and Dimensions of Buildings and Structures

- 3.13. No building or structure shall be constructed, reconstructed, altered, moved or extended by the owner, occupier or any other person so that it contravenes the requirements for the zone in which it is located.
- 3.14. All principal buildings in the R1 and R2 zones shall have each corner of the front pane of the building equidistant from the front parcel line. As illustrated in Figure 3.1, on parcels with curved front parcel lines, the front exterior wall of the building shall be equidistant from the equivalent front parcel line. On parcels that have a curved front parcel line and a straight exterior side

parcel line, the exterior wall facing the exterior side parcel line shall be parallel to the exterior side parcel line.

- 3.15. All principal buildings shall have all habitable rooms located at an elevation above the 1 in 20 year floodplain level as defined in Schedule K of the Official Community Plan.

FIGURE 3.1 ILLUSTRATION OF PRINCIPAL BUILDING SITING



Panhandle Lot

- 3.16. The narrow strip of land used to provide access to a panhandle lot is not included when calculating the area of a panhandle lot nor the calculation of the front yard setback requirement.

Subdivision of Land

- 3.17. No owner, occupier or other person shall subdivide any land, except in compliance with the provisions set out in this Bylaw.

Fencing

- 3.18. No fence in an R zone or C1 zone shall:
- .1 Exceed 1.8 m in height;
 - .2 Be constructed in a front yard in a C1 zone; and

- .3 Exceed 1.3 m in height in a front yard.
- 3.19. In the M and P2 zones, full perimeter chain link fencing is permitted up to 2.5 m in height.
- 3.20. In the C2, C3, C4 and P1 zone, no fence, hedge, wall or projecting retaining wall shall:
 - .1 Exceed 1.8 m in height in the area between the front parcel line and the front building line, except where this bylaw requires otherwise; and
 - .2 Exceed 2.5 m in height in an area on a parcel other than between the front parcel line and the front building line, except where this bylaw requires otherwise.

Accessory Buildings and Structures

- 3.21. An accessory building or structure may be constructed for the purpose of storage for the concurrent construction of the principal building provided that the accessory building or structure is situated to enable the proper construction of the principal building.
- 3.22. A mobile home is not permitted as an accessory building in any zone.
- 3.23. Accessory buildings or structures are not permitted in the front yard in any zone.
- 3.24. Accessory buildings shall be located at least 1.0 m away from any principal building and 1.0 m away from any parcel line, except as provided in 3.26.
- 3.25. On corner parcels, accessory buildings and structures setbacks from the exterior side parcel line shall be equal to the front parcel line setback.
- 3.26. Greenhouses must be located a minimum of 0.9 m from side and rear parcel lines.
- 3.27. Where an accessory building or structure has a floor area of less than 6.7 m², including projections, it may be located adjacent to a side or rear parcel line.
- 3.28. A garden suite is permitted as an accessory building in the R1 and R2 zones only.
- 3.29. There shall be a maximum of one garden suite per parcel in the R1 and R2 zones.

Accessory Storage Units – Cargo Containers

- 3.30. Cargo containers are only permitted as accessory buildings if used as storage units related to a principal use and in accordance with sections 3.31 to 3.40 of this Bylaw.
- 3.31. Cargo containers must have a snow roof installed to prevent the accumulation of snow.
- 3.32. Cargo containers must not be used as workspaces, assembly shops, dwelling units or any other form of accommodation, including offices, under any circumstances.
- 3.33. Cargo containers must not occupy any required off-street parking spaces.
- 3.34. Cargo containers must not occupy any areas that are required for landscaping.

- 3.35. Cargo containers must not be located on any highway, sidewalk or trail, or in any location that blocks or interferes with vehicular and/or pedestrian circulation.
- 3.36. Cargo containers must be screened from adjacent properties and rights-of-way with solid fencing, landscaping or by being placed behind, between or within buildings.
- 3.37. Cargo containers must not display any logos or otherwise be used as a sign.
- 3.38. Cargo containers must not exceed a height of 2.6 m and must not be stacked.
- 3.39. Multiple cargo containers may be located on a single parcel but they must not exceed a cumulative gross floor area of 50 m².
- 3.40. In all R zones individual cargo containers must not exceed a gross floor area of 15 m².

Exemption from Minimum Parcel Size

- 3.41. Minimum parcel size provisions of this bylaw do not apply where the parcel being created is for the operation of:
 - .1 A community sewer system;
 - .2 A community water system;
 - .3 A community gas distribution system;
 - .4 A radio or television receiving or broadcasting antenna;
 - .5 A telecommunication relay station;
 - .6 An air navigation aid; or
 - .7 An electrical substation or power generation station.

Projections into Setback Areas

- 3.42. No part of any building or structure shall project into a required front, side or rear yard setback required by this Bylaw, except for the following:
 - .1 Steps and landings complete with handrails, fireplaces, balconies, and awnings provided that such projections do not exceed 1.8 m and are not closer than 1.5 m to any parcel line;
 - .2 a covered porch addition projecting no more than 2.4 m in width and 2.4 m in depth;
 - .3 wheelchair ramps may project without any limit;
 - .4 eaves, gutters, cornices, sills, belt courses, bay windows, dormers, chimneys, or other similar features may project no more than:
 - .1 1.0 m into a side yard setback area where the minimum setback from the side yard is 3.0 m or greater;

- .2 0.5 m into a side yard setback area where the minimum setback from the side yard is 3.0 m or less; and
- .3 1.0 m into a front yard or rear yard setback area;
- .5 an uncovered patio, sundeck, or terrace in a side or rear yard, subject to the fence height limitations as specified in this Bylaw, that is not closer than 1.5 m to the parcel line;
- .6 arbors and trellises, fish ponds, ornaments, flag poles or similar landscape features;
- .7 a swimming pool, provided that such pool will not be constructed within the required front yard, or nearer than 3.0 m to any exterior or interior side or rear parcel line, nor nearer than 3.0 m from any principal building, and provided that any structure over a pool will be constructed so that the roof or ridge or such structure will not be in excess of 4.0 m above average grade level and provided that any other provisions of this Bylaw are met;
- .8 gasoline service pumps or pump islands in a required front yard or side yard setback area, subject to other regulations of this Bylaw; and
- .9 underground structures may be sited in any portion of a parcel provided that the top surface of such structure at no point extends above the average finished ground level and provided that the installation of the underground structure does require the use or impact of adjacent property.

Height Exceptions

3.43. The maximum height regulations of this Bylaw do not apply to the following:

- .1 Monument;
- .2 Chimney;
- .3 Spire, steeple or belfry;
- .4 Radio and television tower or antenna;
- .5 Pole, floodlight;
- .6 Silo;
- .7 Transmission tower;
- .8 Emergency alarm tower;
- .9 Mechanical equipment on rooftop;
- .10 Stadium;
- .11 Water tank;
- .12 Monitor; and

.13 Cooling tower.

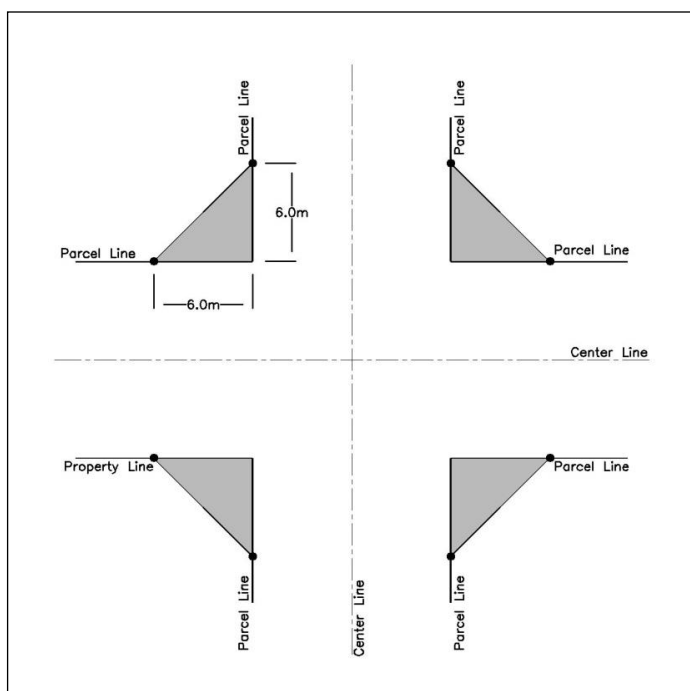
Public Utility Installations

3.44. Public utility installations are permitted in all zones.

Vision Clearance at Intersections

3.45. No fence, wall, structure, hedge, bush, shrub, tree or other growth shall be maintained or allowed to grow so as to obstruct vision clearance at intersections within the District. As illustrated in Figure 3.2, on a corner parcel within the shaded space formed by the curb lines 6.0 m from the point of intersection of the curb lines, joining perpendicular to the parcel lines and joining the parcel lines, no landscaping screening, building or structure will be planted or erected to a height greater than 1.0 m above the established grade of the street.

FIGURE 3.2 ILLUSTRATION OF SIGHT TRIANGLE



Home Occupations

3.46. Permitted home occupations include

1. Small scale home sales (i.e. small scale multi-level marketing business);
2. **Artist's studio for the** production of arts, crafts, film arts, and audio recording studio;
3. Teacher or tutor, such as a music teacher;

4. Business and professional offices other than a medical, dental, or veterinary practitioner;
 5. Dressmaker, tailor or seamstress;
 6. Barber, hairdresser, beautician, dietician, massage therapist, physiotherapist, or reflexologist;
 7. Pet grooming;
 8. Mobile businesses including fishing charters and mobile vendors (i.e. mobile welders); and
 9. Private home daycare facility for a maximum of 7 children or as established by the health authority community care licensing program.
- 3.47. A home occupation shall only be operated by a resident of the dwelling unit in which the home occupation is located.
- 3.48. A home occupation is not permitted that:
- .1 Produces any offensive noise, vibration, traffic, smoke, dust, odour, glare, heat or electrical interference within a residential zone;
 - .2 Results in any exterior alterations to the building or the land that are not consistent with the residential character of the buildings and property;
 - .3 Utilizes materials or processes that produce flammable explosive vapours or gases under ordinary temperatures;
 - .4 Requires the delivery or removal of materials or products in bulk by commercial vehicles or trailers; or
 - .5 Attracts an amount of customer traffic that exceeds an amount customarily associated with a residential area.
- 3.49. A home occupation shall be carried out wholly within a dwelling unit or within an accessory building, and shall involve no external storage of materials, containers or finished products.
- 3.50. The building in which a home occupation is carried out shall not display any external indication exists that the building is utilized for any purpose other than the dwelling, except for a single wall mounted sign not exceeding 0.36 square metres.
- 3.51. No home occupation shall be conducted between the hours of 10:00 pm and 8:00 am.
- 3.52. Business visitors or customers shall not exceed that normally occurring for a residence and should not exceed 10 visitors or customers per day.

Secondary Suites

- 3.53. Only one secondary suite is permitted per parcel in those residential zones where secondary suites are allowed.
- 3.54. A secondary suite shall not alter the exterior character of the principal single family dwelling.

Bed and Breakfast

- 3.55. A bed and breakfast shall not accommodate any guest for more than 28 consecutive days.
- 3.56. A bed and breakfast shall not alter the residential character of the principal dwelling or show an external indication that the dwelling is being used for any purpose other than a residential use.
- 3.57. The bed and breakfast shall be carried out wholly within the dwelling unit.
- 3.58. The maximum number of guestrooms permitted in a bed and breakfast is 3 (three).
- 3.59. Breakfast shall be the only meal served to guests in a bed and breakfast.
- 3.60. A parking space is required for every guestroom in the bed and breakfast and shall be in addition to those otherwise required for a single family dwelling under this Bylaw, to a maximum of 15% of the total parcel area.
- 3.61. The bed and breakfast use must clearly be incidental or secondary to the use of the dwelling for residential purposes.
- 3.62. The bedrooms within a bed and breakfast shall not contain any cooking facilities.

Boarders and Lodgers

- 3.63. The minimum length of stay for any boarder or lodger shall not be less than 28 consecutive days.
- 3.64. The maximum number of rooms for boarders and lodgers permitted in a dwelling unit is three (3).
- 3.65. A parking space is required for every sleeping unit and shall be in addition to those otherwise required for the single family dwelling, to a maximum of 15% of the total parcel area.

Derelict Vehicles

- 3.66. No land, other than as allowed in M zones and the C2 zone, shall be used for the storage of derelict vehicles, or as an automobile salvage or wrecking yard.

4.0 ESTABLISHMENT OF ZONES

Zoning Map

- 4.1. The area within the boundaries of the District of Stewart is hereby divided into the following zones in Column I and generally described in Column II:

COLUMN I

COLUMN II

Residential Zones

Title Elaboration

R1	Residential Single Family
R2	Rural Residential
RM1	Residential – Multiple Family
MHP	Manufactured Home Park

Commercial Zones

C1	Downtown Commercial
C2	General Commercial
C3	Airport Commercial
C4	Commercial Recreation

Industrial Zones

M1	Industrial – Heavy
M2	Industrial – Port

Park and Institutional Zones

P1	Parks, Recreation, and Cemeteries
P2	Institutional, Schools and Public Use

Other Zones

RR	Rural Resource
SG	Sand and Gravel Extraction
OS	Open Space
FD	Future Development

- 4.2. The boundaries of the zones established by Section 4.1 are shown on the Zoning Maps.

Zoning Boundaries

- 4.3. The zone boundaries on the Zoning Maps shall be interpreted as follows:
- .1 Where a zone boundary is shown following a street, lane, railway, pipeline, power line, utility right-of-way, or easement, it follows the centerline, unless otherwise clearly indicated on the Zoning Maps;
 - .2 Where a zone boundary is shown as approximately following the District boundary, it follows the District boundary;
 - .3 Where a zone boundary is shown as approximately following the natural boundary, it follows the natural boundary and changes with the change in the natural boundary;
 - .4 Where a zone boundary is shown as approximately following a property line, it follows the property line;
 - .5 Where a zone boundary is shown as approximately following a topographic contour line or a top-of-bank line, it follows that line;
 - .6 Where a zone boundary is shown as being generally parallel to or as an extension of any of the features listed in section 4.3.1 to 4.3.5, the zone boundary may be determined by applying the rule that applies to that feature, with the necessary adjustment;
 - .7 In circumstances not covered above, the zone boundary shall be determined by the scale of the Zoning Maps; and
 - .8 Notwithstanding map boundaries, for the purposes of this Zoning Bylaw, the Highway 37A right-of-way and roadway is not zoned.
- 4.4. Where any street is closed, the roadway lands have the same zoning as the abutting land. When abutting lands are governed by different zones, the center of the roadway is the zone boundary unless the zone boundary is shown clearly following the edge of the roadway. If the **roadway is consolidated with an adjoining parcel, the parcel's zoning designation applies** to affected portions of the roadway.

5.0 RESIDENTIAL SINGLE FAMILY – R1

Permitted Uses

5.1. The following uses and no others are permitted in the R1 zone:

- .1 Dwelling, Single Family;
- .2 Dwelling, Duplex;
- .3 Bed and breakfast;
- .4 Home occupation;
- .5 Garden suite;
- .6 Secondary suite; and
- .7 Accessory building.

Regulations

5.2. On a parcel located in an area zoned as R1, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in this section. Column I sets out the matter to be regulated and Column II sets out the regulation.

COLUMN I

COLUMN II

.1	Minimum parcel size for new subdivisions for single family dwellings	350 m ²
.2	Minimum parcel size for duplex dwellings situated on one parcel	700 m ²
.3	Minimum parcel size for a duplex dwelling if the unit is divided into two separate parcels with a common interior wall	350 m ²
.4	Minimum parcel width	
.1	Single family dwellings	15.0 m
.2	Duplex dwellings which are situated on one parcel	18.0 m
.3	Duplex dwellings which are divided into two separate parcels with a common interior wall	9.0 m per parcel
.5	Maximum number of principal buildings	2 dwelling units per parcel

COLUMN I	COLUMN II
.6 Maximum height for principal building	10.0 m
.7 Minimum setback from parcel lines for principal building:	
.1 Front parcel line	4.0 m
.2 Rear parcel line	2.0 m
.3 Interior side parcel line	2.0 m
.4 Interior side parcel line that divides a duplex	0.0 m
.5 Exterior side parcel line	3.0 m
.8 Maximum setback from front parcel line for principal building	10.0 m
.9 Maximum parcel coverage	33%
.10 Maximum floor area of all accessory buildings	50.0 m ²
.11 Maximum height of accessory buildings	5.0 m

Conditions of Use

- 5.3. All modular homes must be on a permanent foundation and meet Canadian Standards Association (CSA) A277.
- 5.4. All mobile homes must be on a permanent foundation and meet CSA Z240.
- 5.5. Off-street parking shall be provided in accordance with regulations in Section 21.

6.0 RURAL RESIDENTIAL– R2

Permitted Uses

- 6.1. The following uses and no others are permitted in the R2 zone:
- .1 Dwelling, single family;
 - .2 Secondary suite;
 - .3 Bed and breakfast;
 - .4 Home occupation;
 - .5 Agricultural use;
 - .6 Garden suite; and
 - .7 Accessory building.

Regulations

- 6.2. On a parcel located in an area zoned as R2, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in this section. Column I sets out the matter to be regulated and Column II sets out the regulation.

COLUMN I

- .1 Minimum parcel size
- .2 Minimum frontage
- .3 Maximum number of principal buildings
- .4 Maximum height of principal building
- .5 Minimum setback from parcel lines for principal building:
 - .1 Front parcel line
 - .2 Rear parcel line
 - .3 Interior side parcel line
 - .4 Exterior side parcel line
- .6 Maximum parcel coverage
- .7 Minimum size of principal building

COLUMN II

- 1 ha
- 30 m
- 1 dwelling unit per parcel
- 12.0 m
-
- 8.0 m
- 10.0 m
- 10.0 m
- 10.0 m
- 20%
- 74 m²

COLUMN I

- .8 Minimum width of a single family dwelling
- .9 Maximum height for an accessory building
- .10 Maximum floor area for accessory buildings

COLUMN II

- 7.0 m
- 12.0 m
- 5% of the parcel area

Conditions of Use

- 6.3. All modular homes must be on a permanent foundation and meet Canadian Standards Association (CSA) A277.
- 6.4. All mobile homes must be on a permanent foundation and meet CSA Z240.
- 6.5. Off-street parking shall be provided in accordance with regulations in Section 21.

7.0 RESIDENTIAL MULTI-FAMILY – RM1

Permitted Uses

- 7.1. The following uses and no others are permitted in the RM1 zone:
- .1 Dwelling, Multiple Family; and
 - .2 Accessory building.

Regulations

- 7.2. On a parcel located in an area zoned as RM1, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in this section. Column I sets out the matter to be regulated and Column II sets out the regulation.

COLUMN I

- .1 Maximum density
- .2 Minimum density
- .3 Minimum parcel size
- .4 Minimum frontage
- .5 Maximum number of accessory buildings
- .6 Minimum parcel size (for a 'Dwelling, Multi-family townhouse' situated on one parcel)
- .7 Minimum parcel width (for a 'Dwelling, Multi-family townhouse' situated on one parcel)
- .8 Minimum setback of principal building from:
 - .1 Front parcel line
 - .2 Interior side parcel line
 - .3 Interior side parcel line that divides dwelling units joined by a common wall
 - .4 Rear parcel line
 - .5 Exterior side parcel line
- .9 Maximum building and structure height
 - .1 Principal building and structures
 - .2 Accessory building

COLUMN II

- 40 dwelling units per ha
- 30 dwelling units per ha
- 700 m²
- 18.0 m
- 1 per parcel
- 223.0 m²
- 7.0 m
- 4.0 m
- 1.5 m
- 0.0 m
- 3.0 m
- 3.0 m
- 12.0 m
- 3.0 m

COLUMN I

- .10 Maximum building area for accessory building
- .11 Maximum parcel coverage

COLUMN II

55.0 m²
35%

Conditions of Use

- 7.3. Off-street parking shall be provided in accordance with regulations in Section 21.

8.0 MANUFACTURED HOME PARK – MHP

Permitted Uses

- 8.1. The following uses and no others are permitted in the MHP zone:
- .1 Manufactured home park;
 - .2 Mobile homes;
 - .3 Home occupation; and
 - .4 Accessory building.

Regulations

- 8.2. On a parcel located in an area zoned as MHP, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in this section. Column I sets out the matter to be regulated and Column II sets out the regulation.

COLUMN I

COLUMN II

.1	Minimum parcel size	2 ha
.2	Minimum size for a bare land strata lot	372 m ²
.3	Minimum frontage	50.0 m
.4	Minimum frontage for a bare land strata lot	15.0 m
.5	Maximum density	18 manufactured homes per hectare
.6	Minimum setback from parcel lines for principal building:	
.1	Front parcel line	2.0 m
.2	Rear parcel line	2.0 m
.3	Interior side parcel line	1.5 m
.4	Exterior side parcel line	3.0 m
.7	Maximum height of:	
.1	Principal building	7.5 m
.2	Accessory building	3.0 m
.9	Maximum building area for accessory building per dwelling unit:	32.0 m ²

COLUMN I

COLUMN II

.10 Maximum number of accessory buildings per dwelling
units

1

Conditions of Use

8.3. Off-street parking shall be provided in accordance with regulations in Section 21.

9.0 DOWNTOWN COMMERCIAL – C1

Permitted Uses

9.1. The following uses and no others are permitted in the C1 zone:

- .1 Animal grooming;
- .2 Bakery;
- .3 Brewing on premises establishment;
- .4 Club or lodge;
- .5 Coffee shop, café;
- .6 Cold beer and wine store;
- .7 Convenience store;
- .8 Daycare;
- .9 Financial institution;
- .10 Fitness centre;
- .11 Laundromat;
- .12 Health services;
- .13 Hotel;
- .14 Motel;
- .15 Non-motorized sports equipment rental, sales and repair;
- .16 Office;
- .17 Parking lot;
- .18 Personal service establishment;
- .19 Post office;
- .20 Podium dwelling;
- .21 Printing and media services;
- .22 Professional services office;
- .23 Public assembly and entertainment;
- .24 Public use;
- .25 Recreational facility;

- .26 Restaurant;
- .27 Retail store;
- .28 Second hand store;
- .29 Shopping center; and
- .30 Accessory building.

Regulations

- 9.2. On a parcel located in an area zoned as C1, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in this section. Column I sets out the matter to be regulated and Column II sets out the regulation.

COLUMN I

COLUMN II

.1	Minimum parcel size for new subdivisions	275 m ²
.2	Minimum frontage for new subdivisions	12.0 m
.3	Maximum height for principal building	15.0 m
.4	Minimum setback from parcel lines for principal building:	
.1	Front parcel line	0.5 m
.2	Rear parcel line	1.0 m
.3	Interior side parcel line	0.0 m
.4	Exterior side parcel line	2.0 m
.5	Maximum parcel coverage	95%
.6	Maximum floor area of all accessory buildings	50.0 m ²
.7	Maximum density for podium dwelling	40 dwelling units per hectare of parcel area

Conditions of Use

- 9.3. Off-street parking shall be provided in accordance with regulations in Section 21.

10.0 GENERAL COMMERCIAL – C2

Permitted Uses

- 10.1. The following uses and no others are permitted in the C2 zone:
- .1 Auction sales and galleries;
 - .2 Automobile rental, repair, paint, body and glass services;
 - .3 Automobile and automobile parts sales and service;
 - .4 Bakery;
 - .5 Boat, motorcycle and ATV sales, service, rental and repair;
 - .6 Brewing on premises establishment;
 - .7 Bulk sales establishment;
 - .8 Butcher shop;
 - .9 Car washing establishment;
 - .10 Cartage, delivery, express terminal or storage service;
 - .11 Commercial card lock facility;
 - .12 Commercial laundry establishment;
 - .13 Convenience store in conjunction with gasoline service station;
 - .14 Non-industrial equipment and equipment parts sales and service;
 - .15 Feed sales;
 - .16 Funeral parlors;
 - .17 Garden and nursery supplies;
 - .18 Glass shop;
 - .19 Industrial sales;
 - .20 Laundromat and dry cleaning;
 - .21 Laboratories;
 - .22 Light industrial;
 - .23 Manufactured home sales, service and storage;
 - .24 Mini storage;
 - .25 Office;

-
- .26 Office equipment sales and service;
 - .27 Printing services;
 - .28 Public transportation depot, including bus terminal;
 - .29 Retail sale of building supplies, hardware, household goods, and sporting goods;
 - .30 Retail sale, rental and repair of machinery, farm implements, tools and small equipment such as chain saws, lawn and garden equipment, small appliances and similar equipment;
 - .31 Second hand store;
 - .32 Taxidermy;
 - .33 Service station;
 - .34 Tire shop, including sales and repair;
 - .35 Towing service;
 - .36 Trade contractors;
 - .37 Truck and trailer sales or rental lot;
 - .38 Upholstering shop;
 - .39 Veterinary clinic;
 - .40 Warehouse;
 - .41 Welding shop;
 - .42 Wholesale or warehousing;
 - .43 Accessory building; and
 - .44 Caretaker suite.

Regulations

- 10.2. On a parcel located in an area zoned as C2, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in this section). Column I sets out the matter to be regulated and Column II sets out the regulation.

COLUMN I

- .1 Minimum parcel size for new subdivisions
- .2 Minimum frontage for new subdivisions
- .3 Maximum height for principal building

COLUMN II

- 400 m²
- 15.0 m
- 15.0 m

COLUMN I

COLUMN II

.4	Minimum setback from parcel lines for principal building:	
.1	Front parcel line	4.0 m
.2	Rear parcel line	4.0 m
.3	Interior side parcel line	3.0 m
.4	Exterior side parcel line	2.0 m
.5	Maximum parcel coverage	50%
.6	Maximum floor area of all accessory buildings	90.0 m ²

Conditions of Use

- 10.3. Off-street parking shall be provided in accordance with regulations in Section 21.
- 10.4. LOT 9 - 12 BLK 45 DL 469 CASSIAR DISTRICT PL 958 shall be used for Office only.

11.0 AIRPORT COMMERCIAL – C3

Permitted Uses

11.1. The following uses and no others are permitted in the C3 zone:

- .1 Airport;
- .2 Aircraft charter business;
- .3 Aircraft maintenance and repair;
- .4 Aircraft fuel sales;
- .5 Aircraft sales;
- .6 Aircraft storage;
- .7 Flight training schools;
- .8 Flying clubs;
- .9 Offices associated with airport-related business;
- .10 Weather office;
- .11 Caretaker suite; and
- .12 Accessory building.

Regulations

11.2. On a parcel located in an area zoned as C3, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in this section. Column I sets out the matter to be regulated and Column II sets out the regulation.

COLUMN I

- .1 Minimum parcel size for new subdivisions
- .2 Minimum frontage for new subdivisions
- .3 Maximum height for principal building

COLUMN II

450 m²
15.0 m
To be
determined by
the federal
Ministry of
Transport

COLUMN I

COLUMN II

.4	Minimum setback from parcel lines for principal building:	
.1	Front parcel line	4.0 m
.2	Rear parcel line	3.0 m
.3	Interior side parcel line	3.0 m
.4	Exterior side parcel line	2.0 m
.5	Maximum parcel coverage	50%
.6	Maximum floor area of all accessory buildings	90.0 m ²

Conditions of Use

- 11.3. Off-street parking shall be provided in accordance with regulations in Section 21.

12.0 COMMERCIAL RECREATION – C4

12.1. The following uses and no others are permitted in the C4 zone:

- .1 Campground and RV Park;
- .2 RV Washing Facility; and
- .3 Golf Course.

Regulations

12.2. On a parcel located in an area zoned as C4, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in this section. Column I sets out the matter to be regulated and Column II sets out the regulation.

COLUMN I

COLUMN II

.1	Minimum parcel size for new subdivisions	10,000.0 m ²
.2	Minimum frontage for new subdivisions	20.0 m
.3	Maximum height for principal building	15.0 m
.4	Minimum setback from parcel lines for principal building:	
.1	Front parcel line	5.0 m
.2	Rear parcel line	5.0 m
.3	Exterior side parcel line	5.0 m
.4	Interior side parcel line	5.0 m
.5	Minimum floor area of principal buildings	25.0 m ²
.6	Maximum parcel coverage	40%
.7	Maximum floor area of all accessory buildings	200.0 m ²

Conditions of Use

12.3. Off-street parking shall be provided in accordance with regulations in Section 21.

13.0 INDUSTRIAL – HEAVY - M1

Permitted Uses

13.1. The following uses and no others are permitted in the M1 zone:

- .1 Automobile, boat, trailer and recreation vehicle repair, sales, and rental lot;
- .2 Automobile repair, paint, body and glass services
- .3 Automobile storage yard;
- .4 Building supply establishment;
- .5 Bulk petroleum products sales;
- .6 Cartage, delivery or express facility;
- .7 Commercial card lock facility;
- .8 Commercial laundry establishment;
- .9 Feed mill;
- .10 Heavy equipment maintenance and repair;
- .11 Home manufacturing, assembly, and storage;
- .12 Light manufacturing, processing, finishing and packaging;
- .13 Heavy manufacturing, processing, finishing and packaging;
- .14 Manufactured home sales lot;
- .15 Moving and storage;
- .16 Nursery or greenhouse;
- .17 Office related to a storage building, workshop and/or a yard used by a general contractor or trade contractor;
- .18 Paper products industry;
- .19 Printing, reproduction and data processing establishment;
- .20 Truck and truck-tractor sales, rental lot, and repair;
- .21 Storage building, warehousing and wholesale establishment, packing and crating, cold storage;
- .22 Accessory building; and
- .23 Caretaker suite.

Regulations

- 13.2. On a parcel located in an area zoned as M1, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in this section and section 13.3. Column I sets out the matter to be regulated and Column II sets out the regulation.

COLUMN I

COLUMN II

.1 Minimum parcel size	600 m ²
.2 Minimum frontage	20 m
.3 Maximum height for principal building	15.0 m
.4 Minimum setback from parcel lines for principal building:	
.1 Front parcel line	10.0 m
.2 Rear parcel line	5.0 m
.3 Interior side parcel line	5.0 m
.4 Exterior side parcel line	5.0 m
.5 Minimum setback from any parcel lines for outdoor storage	3.0 m
.6 Minimum setback from any parcel lines for outdoor display yard	3.0 m
.7 Maximum parcel coverage	75%
.8 Maximum floorspace of all accessory buildings	100 m ²
.9 Maximum height of accessory buildings	10.0 m

Conditions of Use

- 13.3. Off-street parking shall be provided in accordance with regulations in Section 21.
- 13.4. Lot A, DL 432 Cassiar PI PRP13558 Exc PI PRP14066 shall be used only for log storage.
- 13.5. All permitted uses shall be completely housed within an enclosed building, except for:
- .1 Outdoor displays, storage yards, rental and sales, parking and loading facilities.

14.0 INDUSTRIAL – PORT – M2

Permitted Uses

14.1. The following uses and no others are permitted in the M2 zone:

- .1 Boat rental and charters;
- .2 Bulk commodity storage and terminal;
- .3 Log booming and sorting;
- .4 Marina;
- .5 Marine transportation use;
- .6 Marine fuel installations, including aircraft refueling;
- .7 Mooring or wharfing of commercial vessels;
- .8 Shipbuilding and repair;
- .9 Shipping container;
- .10 Transportation terminal;
- .11 Warehouses, works yards, storage and loading facilities oriented to marine use and water traffic;
- .12 Accessory building; and
- .13 Caretaker suite.

Regulations

14.2. On a parcel located in an area zoned as M2, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the this section. Column I sets out the matter to be regulated and Column II sets out the regulation.

COLUMN I

COLUMN II

.1 Minimum parcel size	300 m ²
.2 Minimum frontage	15.0 m
.3 Maximum height for principal building	25.0 m
.4 Minimum setback from parcel lines for principal building:	
.1 Front parcel line	2.0 m
.2 Rear parcel line	2.0 m
.3 Interior side parcel line	2.0 m

.4	Exterior side parcel line	2.0 m
.5	Minimum setback from any parcel lines for outdoor storage	2.0 m
.6	Minimum setback from any parcel lines for outdoor display yard	2.0 m
.7	Maximum parcel coverage	75%

Conditions of Use

- 14.3. Off-street parking shall be provided in accordance with regulations in Section 21.

15.0 PARKS, RECREATION AND CEMETERIES – P1

Permitted Uses

15.1. The following uses and no others are permitted in the P1 zone:

- .1 Cemeteries and cemeteries with accessory crematoria;
- .2 Community gardens;
- .3 Community halls and league buildings;
- .4 Cultural and recreational facilities;
- .5 Parks and recreation areas;
- .6 Playfields and playgrounds;
- .7 Public open space; and
- .8 Accessory building.

Regulations

15.2. On a parcel located in an area zoned as P1, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in this section. Column I sets out the matter to be regulated and Column II sets out the regulation.

COLUMN I

COLUMN II

.1	Minimum parcel size for new subdivisions	400 m ²
.2	Minimum frontage for new subdivisions	15.0 m
.3	Maximum height for principal building	15.0 m
.4	Minimum setback from parcel lines for principal building:	
.1	Front parcel line	5.0 m
.2	Rear parcel line	3.0 m
.3	Interior side parcel line	5.0 m
.4	Exterior side parcel line	5.0 m
.5	Maximum parcel coverage	50%

Conditions of Use

15.3. Off-street parking shall be provided in accordance with regulations in Section 21.

16.0 INSTITUTIONAL, SCHOOLS AND PUBLIC USE – P2

Permitted Uses

16.1. The following uses and no others are permitted in the P2 zone:

- .1 Community care facilities;
- .2 Day care facility;
- .3 Public use;
- .4 School or college;
- .5 Place of worship;
- .6 Public open space;
- .7 Service club; and
- .8 Accessory building.

Regulations

16.2. On a parcel located in an area zoned as P2, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in this section. Column I sets out the matter to be regulated and Column II sets out the regulation.

COLUMN I

- .1 Minimum parcel size for new subdivisions
- .2 Minimum frontage for new subdivisions
- .3 Maximum height of principal building
- .4 Minimum setback from parcel lines for principal building:
 - .1 Front parcel line
 - .2 Rear parcel line
 - .3 Interior side parcel line
 - .4 Exterior side parcel line
- .5 Maximum parcel coverage
- .6 Maximum floor area of all accessory buildings
- .7 Maximum height of accessory buildings

COLUMN II

- 600 m²
- 20.0 m
- 15.0 m
- 5.0 m
- 5.0 m
- 5.0 m
- 5.0 m
- 40%
- 60 m²
- 10.0 m

Conditions of Use

- 16.3. Off-street parking shall be provided in accordance with regulations in Section 21.

17.0 RURAL RESOURCE – RR

Permitted Uses

17.1. The following uses and no others are permitted in the RR zone:

- .1 Agricultural use;
- .2 Logging;
- .3 Mineral exploration and extraction;
- .4 Pipelines;
- .5 Resource development;
- .6 Sewage lagoons;
- .7 Shooting range and clubhouse;
- .8 Trapping and hunting;
- .9 Transportation; and
- .10 Accessory building.

Regulations

17.2. On a parcel located in an area zoned as RR, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in this section. Column I sets out the matter to be regulated and Column II sets out the regulation.

COLUMN I

- .1 Minimum parcel size
- .2 Minimum frontage
- .3 Maximum number of principal buildings
- .4 Maximum number of accessory buildings
- .5 Maximum parcel coverage
- .6 Minimum setback from parcel lines for principal building:
 - .1 Front parcel line
 - .2 Rear parcel line

COLUMN II

- 4.5 ha
- 200 m
- 3 buildings per parcel
- 10 per parcel
- 30%
- 7.0 m
- 7.0 m

COLUMN I

- .3 Interior side parcel line
- .4 Exterior side parcel line

COLUMN II

7.0 m
7.0 m

Conditions of Use

- 17.3. Off-street parking shall be provided in accordance with regulations in Section 21.

18.0 SAND AND GRAVEL EXTRACTION - SG

Permitted Uses

- 18.1. The following uses and no others are permitted in the SG zone:
- .1 Agricultural use;
 - .2 Quarrying, sand and gravel extraction including screening and stockpiling of sand and gravel;
 - .3 Caretaker suite; and
 - .4 Accessory building.

Regulations

- 18.2. On a parcel located in an area zoned as SG, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in this section. Column I sets out the matter to be regulated and Column II sets out the regulation.

COLUMN I

- .1 Minimum parcel size
- .2 Minimum frontage
- .3 Maximum number of principal buildings
- .4 Maximum number of accessory buildings
- .5 Maximum parcel coverage
- .6 Minimum setback from parcel lines for principal building:
 - .1 Front parcel line
 - .2 Rear parcel line
 - .3 Interior side parcel line
 - .4 Exterior side parcel line

COLUMN II

- 1.0 ha
- 50.0 m
- 3 buildings per parcel
- 5 per parcel
- 30%
- 7.0 m
- 7.0 m
- 7.0 m
- 7.0 m

Conditions of Use

- 18.3. Off-street parking shall be provided in accordance with regulations in Section 21.

19.0 OPEN SPACE - OS

Preamble

The purpose of the OS zone is to protect environmentally sensitive areas from development.

Permitted Uses

19.1. The following uses and no others are permitted in the OS zone:

- .1 Parks, passive recreation

Conditions of Use

19.2. Off-street parking shall be provided in accordance with regulations in Section 21.

20.0 FUTURE DEVELOPMENT - FD

Preamble

The Future Development Zone is a zone that Council recognizes may be suitable for redevelopment, rezoning, or more expansive uses in the future. In order to qualify for additional uses, a future zoning amendment will be required.

Permitted Uses

20.1. The following uses and no others are permitted in the FD zone:

- .1 Public open space; and
- .2 Dwelling, Single family.

Regulations

20.2. On a parcel located in an area zoned as FD, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in this section. Column I sets out the matter to be regulated and Column II sets out the regulation.

COLUMN I

COLUMN II

.1 Minimum parcel size	450 m ²
.2 Minimum parcel width	20.0 m
.3 Maximum number of dwelling units	1
.4 Maximum parcel coverage	0.2%
.5 Maximum height of principal building	10.0 m
.6 Minimum setback of principal buildings	10.0 m
.1 Front parcel line	5.0 m
.2 Rear parcel line	4.0 m
.3 Interior side parcel line	1.5 m
.4 Exterior side parcel line	3.0 m
.7 Maximum height of:	
.1 Principal building	7.5 m
.2 Accessory building	3.0 m

Conditions of Use

- 20.3. Off-street parking shall be provided in accordance with regulations in Section 21.

21.0 OFF-STREET PARKING AND LOADING REQUIREMENTS

Required Number of Parking and Loading Spaces

- 21.1. Except as otherwise provided for in this Bylaw, the number of off-street parking spaces for motor vehicles required for any use is calculated according to Table 21.1 of this Bylaw, in which Column I classifies the types of uses and Column II sets out the number of required off-street parking spaces that are to be provided for each use in Column I.
- 21.2. The number of off-street loading spaces for motor vehicles required for any use is calculated according to Table 21.2 of this Bylaw in which Column I classifies the types of uses and Column II sets out the number of required off-street loading spaces that are to be provided for each use in Column I.
- 21.3. In respect of a use permitted in this Bylaw which is not specifically referred to in Column I of Tables 21.1 and 21.2 of this Bylaw, the number of off-street parking and loading spaces is calculated on the basis of the requirements for a similar use that is listed in Table 21.1 and Table 21.2 of this Bylaw.
- 21.4. Where the calculation of the required off-street parking and loading spaces results in a fraction, one parking or loading space shall be provided in respect of the fraction.
- 21.5. Where more than one use is located on a parcel, the total number of parking or loading spaces to be required shall be the sum total of the requirements for each use.
- 21.6. Off-street loading spaces shall not be counted as off-street parking spaces, and off-street parking spaces shall not be counted as off-street loading spaces.
- 21.7. Off-street loading spaces shall be sited at an elevation convenient to a floor level in the building.
- 21.8. Each off-street loading space shall have vehicular access to a highway.
- 21.9. In no case shall the length of a loading space be such that a vehicle in the process of loading or unloading shall project into any highway.
- 21.10. Where more than one standard applies to a use, the most stringent standard, requiring more parking stalls, shall be used.

Table 21.1 – REQUIRED OFF-STREET PARKING SPACES

COLUMN I Class of Building	COLUMN II Parking Requirements
<u>Residential (private and commercial)</u>	
.1 Single family & duplex dwelling	- 2 per dwelling unit
.2 Multiple family dwelling	- 1.5 per dwelling + additional 10% for visitor parking
.3 Secondary suite, garden suite	- 1 per suite
.4 Bed and breakfast	- 1 per guestroom
.5 Boarders and lodgers	- 1 per sleeping unit
.6 Rest home, senior citizen housing	- 1 per 3 dwelling units
.7 Motel or hotel	- 1 per sleeping unit
<u>Institutional, Public Assembly and Recreational</u>	
.8 Place of worship	- 1 per 10 m ² of floor area
.9 Boat launch	- 10 per ramp (each space 3 m x 9 m)
.10 Daycare, kindergarten	- 1.5 per classroom
.11 Elementary, junior secondary school	- 2 per classroom
.12 Senior secondary school	- 5 per classroom
.13 Library, museum, or art gallery	- 1 per 30 m ² of floor area
.14 Hospitals, clinics, and medical laboratories	- 1 per 30 m ² of floor area
.15 Marina	- 1 per 4 berths
.16 Municipal, provincial or federal government offices	- 1 per 50 m ² of floor area
.17 Place of public assembly, including: arena, assembly hall, auditorium, club, lodge, community center, convention hall, funeral parlor and undertaking establishments, gymnasium and theaters	- 1 per 5 seats or 1 per 10 m ² of floor area (whichever is greater)
.18 Recreational use including: curling rink, skating rink, swimming pool	- 1 per 50 m ² of floor area plus 1 per 6 spectator seats

Table 21.1 – REQUIRED OFF-STREET PARKING SPACES (cont'd...)

COLUMN I Class of Building	COLUMN II Parking Requirements
<p><u>Commercial</u></p> <p>.19 Auto, boat, truck trailer, manufactured home sales and rentals, machinery, small equipment & tools sales and rentals</p> <p>.20 Bank, offices,</p> <p>.21 Campgrounds</p> <p>.22 Eating and drinking establishment</p> <p>.23 Furniture & appliance, building supply</p> <p>.24 Retail store</p> <p>.25 Personal service establishment</p> <p>.26 Nursery</p> <p>.27 Repair garages, gasoline service station, tire repair</p> <p>.28 Veterinary clinic or large animal hospital</p>	<p>- 1 per 50 m² of floor area</p> <p>- 1 per 50 m² of floor area</p> <p>- 1 per site</p> <p>- 1 per 20 seats</p> <p>- 1 per 40 m² of floor area</p> <p>- 1 per 50 m² of floor area</p> <p>- 1 per 50 m² of floor area</p> <p>- 1 per 50 m² of floor area (include yard in calculation of floor area)</p> <p>- 4 per service bay</p> <p>- 4 per veterinarian</p>
<p><u>Industrial</u></p> <p>.29 Manufacturing, machinery repair, welding, blacksmiths, tool repair</p> <p>.30 Storage warehouse, wholesale establishment, rail or trucking freight terminal, truck or auto storage, bulk petroleum products, public works yard</p>	<p>- 1 per 20 m² of floor area</p> <p>- 1 per 70 m² of floor area</p>

Table 21.2 – REQUIRED OFF-STREET LOADING SPACES

COLUMN I Class of Building	COLUMN II Loading Requirements
.1 All retail stores, businesses, industries, warehouses and similar uses with a floor area:	
.1 Less than 450 m ²	- 1 space
.2 450 m ² to 2,300 m ²	- 2 spaces
.3 Greater than 2,300 m ²	- 3 spaces
.2 All office buildings, places of public assembly, hospitals, hotels, motels, public utilities, schools and similar uses with a floor area:	
.1 Less than 2,800 m ²	- 1 space
.2 Greater than 2,800 m ²	- 2 spaces

Location

21.11. Off-street parking spaces shall be located on the same parcel as the use they service.

Alternate Hours of Use

21.12. Where a building or structure contains more than one use whose business hours of operation do not overlap, the required number of off-street parking spaces shall be the greatest number required for any of those individual uses.

Access

21.13. The access to all off-street parking and loading spaces from a highway shall be not less than 6.0 m in width and not more than 9.0 m in width.

Maneuvering Aisles

21.14. All individual parking spaces, maneuvering aisles, entrances and exits shall be clearly marked by curbs, fences, or lines and signs.

21.15. All maneuvering aisles shall have a maximum gradient and cross slope of 6 percent.

21.16. All maneuvering aisles shall have surface drainage directed either to approved planting areas or through a storm sewer system and rock pits, or if a public storm sewer is available, be connected to such storm sewer.

Surface

- 21.17. All required off-street parking, maneuvering aisles, accesses to highways and loading areas in all zones shall:
- .1 Be so graded and drained as to properly dispose of all surface water;
 - .2 Have fences or curbs to prevent the crossing of sidewalks and boulevards except at authorized entrances and exits; and
 - .3 In the C1 Zone, be surfaced with a permanent surface of asphalt, concrete or similar pavement, or other hard surface such as interlocking paving stones, so as to provide a surface that is durable and dust-free.

Landscaping, Fencing, Curbing and Lighting

- 21.18. Where a parking lot in excess of 3 spaces is located on a parcel which abuts a R or P zone, a landscape buffer of not less than 1.5 m in width shall be provided and maintained along the edge of the parking lot facing a R or P zone.
- 21.19. Where a parking lot abuts a highway, or a sidewalk adjacent to a highway, curbs shall be placed at the end of each parking stall at a distance of not less than 0.75 m from the sidewalk or highway so as to prevent vehicles from encroaching into pedestrian areas.
- 21.20. Any lighting used to illuminate an off-street parking or loading area shall be arranged so as to reflect the light away from any adjoining premises and roadways.

Parking for the Physically Challenged

- 21.21. Where more than 20 parking stalls are required, every off-street parking facility shall provide 5% of the required stalls for the use of physically challenged persons. Each stall for physically challenged persons shall:
- .1 Be at least 4.0 m in width and at least 7.5 m in length;
 - .2 Be located as close as possible to a main handicapped accessible building entrance;
 - .3 Be clearly identified for the exclusive use of physically challenged persons.

Standards

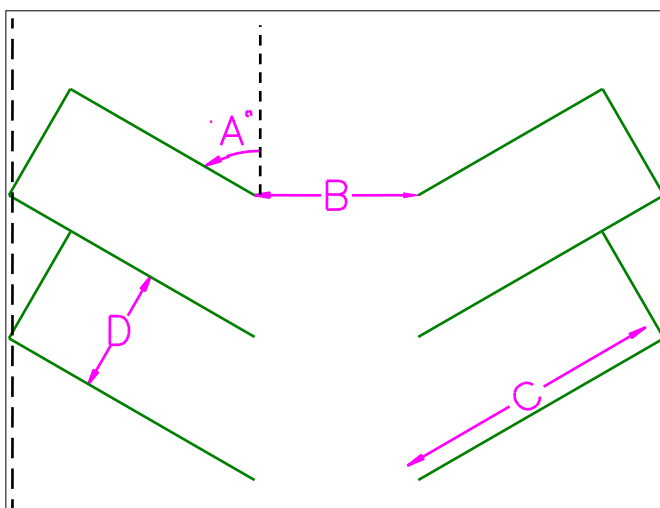
- 21.22. Each off-street parking space required by this Bylaw shall not be less than 3.0 m in width and 7.5 m in length.
- 21.23. Each off-street loading space required by this Bylaw shall not be less than 3.0 m in width, 9.0 m in length and 4.0 m in height.

- 21.24. Adequate provision shall be made for individual entry or exit by vehicles to all parking spaces at all times by means of unobstructed maneuvering aisles, having widths of not less than specified in Table 21.3 and illustrated in Figure 21.1.
- 21.25. Each off-street parking facility shall comply with the dimensions specified in Table 21.3 and illustrated in Figure 21.1.
- 21.26. For parallel parking, the required length of each parking space shall be 7.5 m, except for end spaces, which shall be a minimum length of 6.0 m.

Table 21.3 – MINIMUM DIMENSIONS FOR THE DESIGN OF PARKING FACILITIES

Parking Angle (A)*	Aisle Width (B)*	Stall Length (C)*	Stall Width (D)*	Height
45°	3.9 m	7.5 m	3.0 m	2.4 m
60°	5.5 m	7.5 m	3.0 m	2.4 m
90°	7.5 m	7.5 m	3.0 m	2.4 m
* Location of these dimensions are shown on Figure 21.1.				

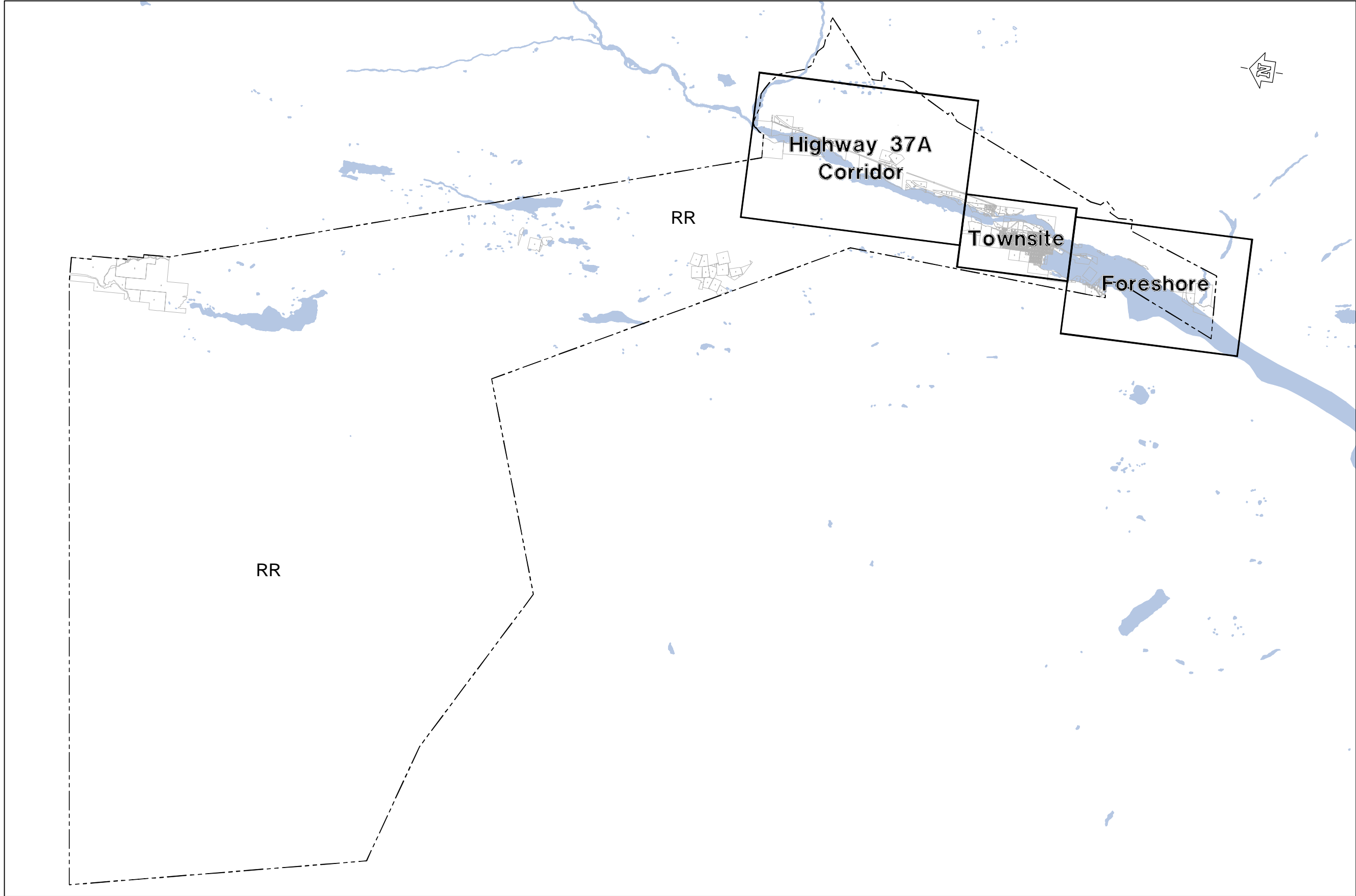
Figure 21.1 – MINIMUM DIMENSIONS FOR THE DESIGN OF PARKING FACILITIES



SCHEDULE B

ZONING BYLAW MAP – ENTIRE MUNICIPALITY

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Legend

R1	Residential, Single Family
R2	Rural Residential
RM1	Residential, Multi-family
MHP	Manufactured Home Park
C1	Downtown Commercial
C2	General Commercial
C3	Airport Commercial
C4	Commercial Recreation
M1	Industrial - Heavy
M2	Industrial - Port
P1	Parks, Recreation and Cemeteries
P2	Institutional, Schools and Public Use
FD	Future Development
RR	Rural Resource
OS	Open Space
SG	Sand and Gravel Extraction

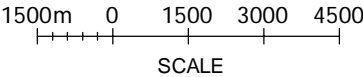
DATE: 2014-06-24

SOURCES:

Cadastral - District of Stewart
TRIM - Land & Resource Data
Warehouse via Regional District of
Kitimat-Stikine
Water and Sewer Infrastructure -
District of Stewart

MAP PROJECTION:
UTM NAD 83 Zone 10

District of Stewart
Zoning - Entire Municipality

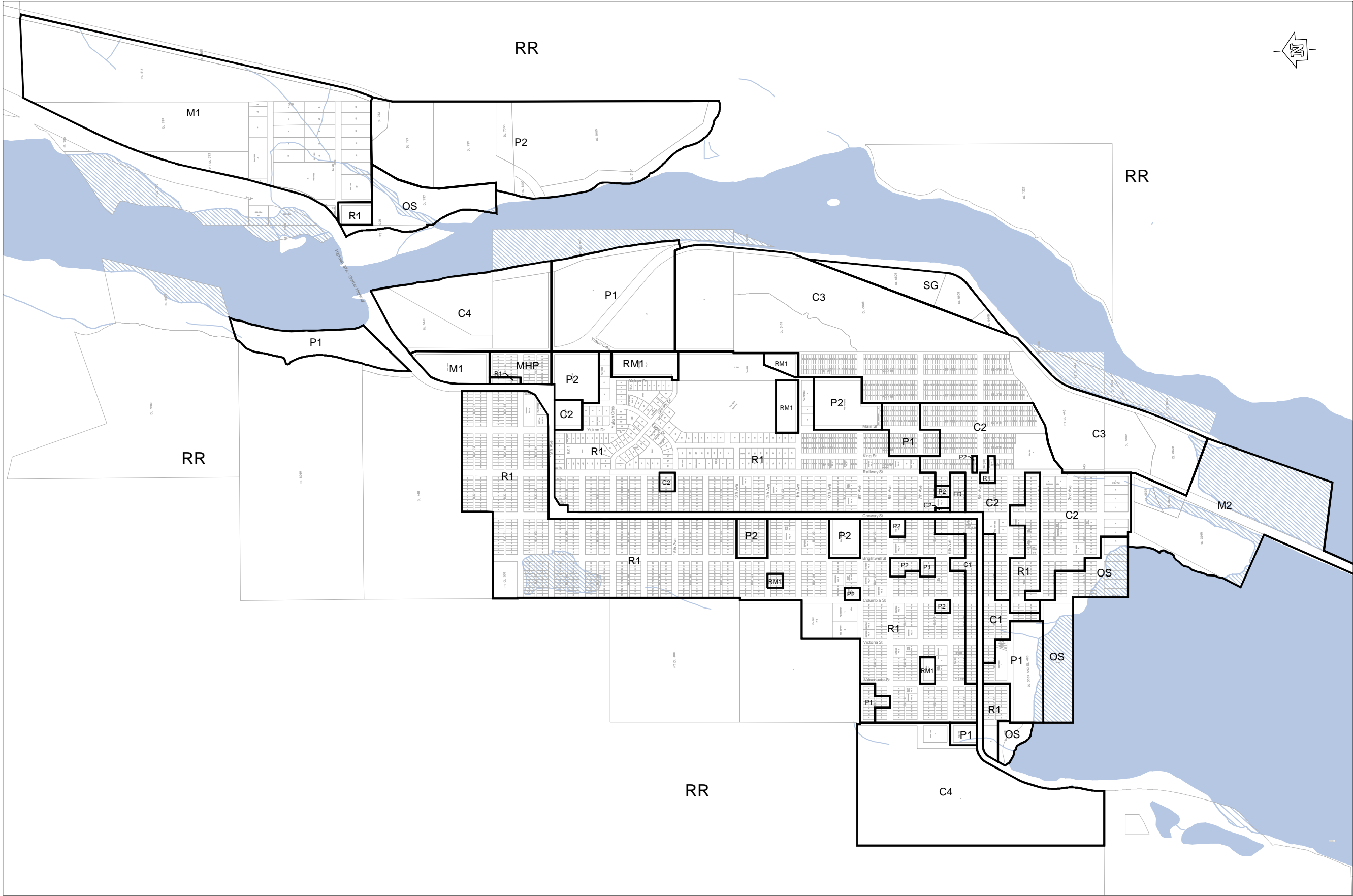


SCHEDULE 'B'

SCHEDULE C

ZONING BYLAW MAP - TOWNSITE

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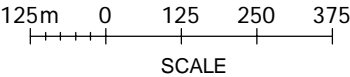
- Legend
- R1 Residential, Single Family
 - R2 Rural Residential
 - RM1 Residential, Multi-family
 - MHP Manufactured Home Park
 - C1 Downtown Commercial
 - C2 General Commercial
 - C3 Airport Commercial
 - C4 Commercial Recreation
 - M1 Industrial - Heavy
 - M2 Industrial - Port
 - P1 Parks, Recreation and Cemeteries
 - P2 Institutional, Schools and Public Use
 - FD Future Development
 - RR Rural Resource
 - OS Open Space
 - SG Sand and Gravel Extraction

DATE: 2014-06-24

SOURCES:
Cadastral - District of Stewart
TRIM - Land & Resource Data
Warehouse via Regional District of
Kitimat-Stikine
Water and Sewer Infrastructure -
District of Stewart

MAP PROJECTION:
UTM NAD 83 Zone 10

District of Stewart Zoning - Townsite

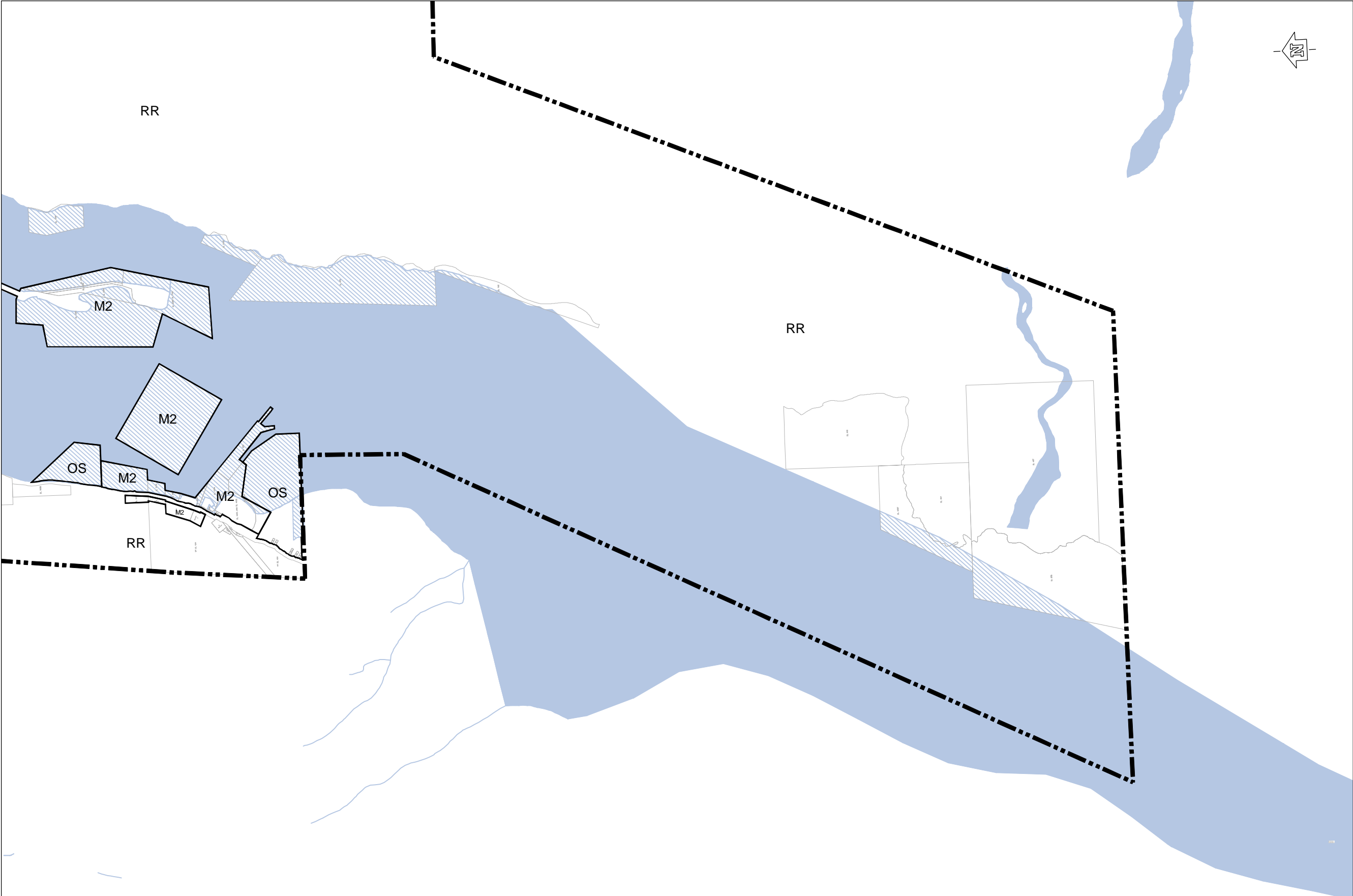


SCHEDULE 'C'

SCHEDULE D

ZONING BYLAW MAP - FORESHORE

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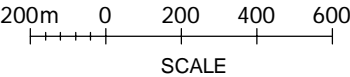
Legend	
R1	Residential, Single Family
R2	Rural Residential
RM1	Residential, Multi-family
MHP	Manufactured Home Park
C1	Downtown Commercial
C2	General Commercial
C3	Airport Commercial
C4	Commercial Recreation
M1	Industrial - Heavy
M2	Industrial - Port
P1	Parks, Recreation and Cemeteries
P2	Institutional, Schools and Public Use
FD	Future Development
RR	Rural Resource
OS	Open Space
SG	Sand and Gravel Extraction

DATE: 2014-06-24

SOURCES:
Cadastral - District of Stewart
TRIM - Land & Resource Data
Warehouse via Regional District of
Kitimat-Stikine
Water and Sewer Infrastructure -
District of Stewart

MAP PROJECTION:
UTM NAD 83 Zone 10

District of Stewart
Zoning - Foreshore

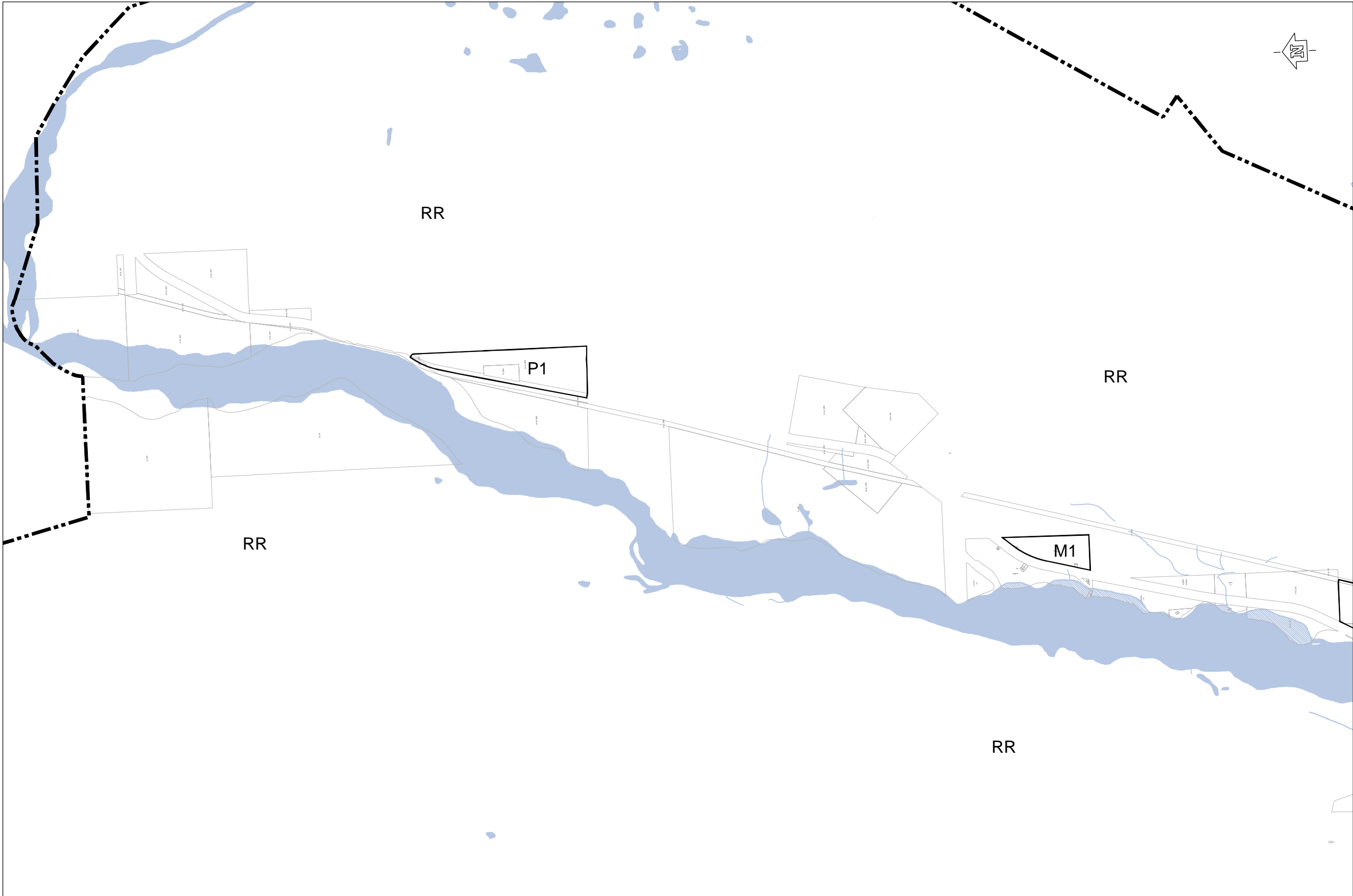


SCHEDULE 'D'

SCHEDULE E

ZONING BYLAW MAP – HIGHWAY 37A CORRIDOR

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Legend

- | | |
|-----|---------------------------------------|
| R1 | Residential, Single Family |
| R2 | Rural Residential |
| RM1 | Residential, Multi-family |
| MHP | Manufactured Home Park |
| C1 | Downtown Commercial |
| C2 | General Commercial |
| C3 | Airport Commercial |
| C4 | Commercial Recreation |
| M1 | Industrial - Heavy |
| M2 | Industrial - Port |
| P1 | Parks, Recreation and Cemeteries |
| P2 | Institutional, Schools and Public Use |
| FD | Future Development |
| RR | Rural Resource |
| OS | Open Space |
| SG | Sand and Gravel Extraction |

DATE: 2014-06-24

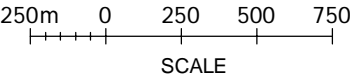
SOURCES:

Cadastral - District of Stewart
TRIM - Land & Resource Data
Warehouse via Regional District of
Kitimat-Stikine
Water and Sewer Infrastructure -
District of Stewart

MAP PROJECTION:
UTM NAD 83 Zone 10

District of Stewart

Zoning - Highway 37A Corridor



SCHEDULE 'E'